

JUL 24 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PAUL A. LANDE, Jr.; et al.,

Appellants,

and

PAUL A. LANDE, Sr.; et al.,

Defendants.

No. 08-35285

D.C. No. 1:06-CV-00040-CSO

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Montana
Carolyn S. Ostby, Magistrate Judge, Presiding

Submitted July 14, 2008^{**}

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: SCHROEDER, LEAVY and IKUTA, Circuit Judges.

On June 13, 2008, appellants' informed the court that their opening brief was their response to this court's May 19, 2008 order to show cause. The Clerk shall file the opening brief received on June 4, 2008.

A review of the record and appellants' opening brief indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Accordingly, we summarily affirm the district court's January 31, 2008 post-judgment order rejecting appellants' filings.

All pending motions are denied.

AFFIRMED.